

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

EMMANUEL SLOAN,

Plaintiff,

v.

Civil Action No. 3:17CV321

LT. PETTIWAY, et al.,

Defendants.

MEMORANDUM OPINION

On June 2, 2017, the United States Postal Service returned to the Court a May 24, 2017 Memorandum Order sent to Emmanuel Sloan marked, "RETURN TO SENDER" and "NOT AT THIS ADDRESS." By Memorandum Opinion and Order entered on June 22, 2017, the Court dismissed the action without prejudice because the Court concluded that Sloan had failed to keep the Court apprised of his current address. That conclusion was in error as Sloan had provided an updated address to the Court on May 30, 2017. Accordingly, pursuant to the direction of the United States Court of Appeals for the Fourth Circuit, by Memorandum Opinion and Order entered on December 5, 2017, the Court vacated its dismissal of the action.

On December 13, 2017, the United States Postal Service returned the December 5, 2017 Memorandum Opinion and Order because Sloan had relocated and not provided the Court with a current address. By Memorandum Order entered on February 7, 2018, the Court sent Sloan the documents necessary to process



Sloan's request to proceed in forma pauperis. Again, on February 20, 2018, the United States Postal Service returned the February 7, 2018 Memorandum Order to the Court marked, "RETURN TO SENDER" and "Not at Jail." Since that date, Sloan has not contacted the Court to provide a current address. Such a failure indicates Sloan's lack of interest in prosecuting the action. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of this Memorandum Opinion to Sloan.

Date: March 28, 2018  
Richmond, Virginia

/s/ *REP*  
Robert E. Payne  
Senior United States District Judge